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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,416	08/30/2001	Mathew Nicholas Perkins	45097-3	7782

23971 7590 09/24/2004

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EXAMINER

DENNISON, JERRY B

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/682,416	PERKINS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	J. Bret Dennison	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/26/01</u>  | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This Action is in response to Application Number 09/682,416 received on 30 August 2001.
2. Claims 1 and 2 are presented for examination.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach et al. (U.S. Patent Number 6,549,937) in view of Nakai et al. (U.S. Patent Number 6,253,248).

3. Regarding claim 1, Auerbach discloses a system for communicating messages in real time between a first external system and a second external system, comprising an engine configurable to apply a set of rules to messages received from one external source and transmit messages formulated in accordance with the set of rules to the another external source or both (col. 6, line 65 through col. 7, line 30, Auerbach discloses a conversion platform including a protocol services module which for each service provider, translates messages from a protocol used by one service provider into the format of

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another service provider, enabling clients on different service providers the ability to communicate with one another);

Auerbach does not explicitly state wherein each client is connected to an adapter to translate messages into a common messaging protocol before transmitting to the conversion platform.

However, in an analogous art, Nakai discloses an information processing apparatus having a proxy server function that can implement protocol conversion to requests (Nakai, col. 2, lines 30-45)

Auerbach and Nakai are analogous art because it is well known in the art at the time of the invention that service providers include proxy servers in order to communicate outside of the provider network.

Therefore it would have been obvious to one in the ordinary skill in the art at the time the invention was made to incorporate protocol conversion at the proxy server of an internet service provider to conform to a standard protocol used across networks, enabling a larger span of communication of messages between service providers.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach and Nakai as applied to claim 1 above, and further in view of Sooster (U.S. Patent Number 6,188,762).

4. Regarding claim 2, Auerbach and Nakai disclose the limitations, substantially as claimed, as described in claim 1. Auerbach and Nakai do not

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explicitly state wherein the first adapter is a CTI adapter, the first external system is a telephony server, the second adapter is a portal adapter, and the second external system is a web browser. In an analogous art of networking, Shooster a web call center/PSTN to TCPIP Internet Network wherein a call is placed into a computer where CTI software resides (Shooster, col. 4, lines 10-20) and is converted to a protocol compatible with the main server and is then forwarded to the main server (Shooster, col. 4, lines 30-40) and the second external system is a web browser (Shooster, col. 4, lines 50-55). Therefore it would have been obvious to one in the ordinary skill in the art at the time of the invention to incorporate Shooster into the communication system of Auerbach and Nakai in order to provide a automatic access to and retrieval of data from a remote or local host upon receipt of a telephone call (Shooster, col. 3, lines 30-40).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (571)272-3910. The examiner can normally be reached on M-F 8:30am-5pm.

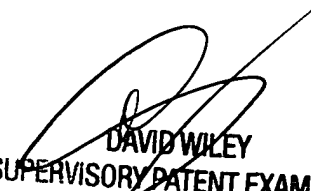
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703)308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

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for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Bret Dennison  
Patent Examiner  
Art Unit 2143



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100